

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAY SOUTHGATE, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

PURECYCLE TECHNOLOGIES, INC.,
DUSTIN OLSON, and LAWRENCE
SOMMA,

Defendants.

Case No. 1:23-cv-08605-JGK

**STIPULATION AND [PROPOSED]
ORDER SETTING A SCHEDULE
FOR FURTHER PROCEEDINGS**

WHEREAS, on February 20, 2024, pursuant to the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4 *et seq.* (the “PSLRA”), the Court appointed James Smith (“Smith”) to serve as Lead Plaintiff and approved his selection of counsel (Dkt. No. 26, the “Order”);

WHEREAS, in the Order, the Court also directed Lead Plaintiff and the Defendants¹ to submit a stipulation by February 26, 2024, setting forth a schedule for the amended complaint, a response to the amended complaint, and related filings as directed by the Court (Dkt. No. 26); and

WHEREAS, the Parties have conferred and agree that the following schedule complies with the directions of the Court;

NOW, THEREFORE, THE PARTIES STIPULATE AND AGREE, subject to the approval of the Court, as follows:

1. Lead Plaintiff shall file an amended complaint (“AC”) no later than April 5, 2024;
2. Defendants shall file a motion to dismiss the AC no later than May 6, 2024;

¹ The Defendants are PureCycle Technologies, Inc., Dustin Olson, and Lawrence Somma, (and together with Lead Plaintiff, the “Parties”).

3. Lead Plaintiff shall file an opposition to Defendants' motion to dismiss the AC *or* a second amended complaint ("SAC") no later than June 5, 2024;
4. If Lead Plaintiff files an opposition to Defendants' motion to dismiss the AC, Defendants shall file a reply no later than June 25, 2024;
5. If Lead Plaintiff files a SAC, Defendants shall file a motion to dismiss the SAC no later than July 8, 2024; Lead Plaintiff shall file an opposition no later than August 7, 2024; and Defendants shall file a reply to Lead Plaintiff's opposition no later than August 27, 2024.

[Signatures on the following page]

DATED: February 26, 2024

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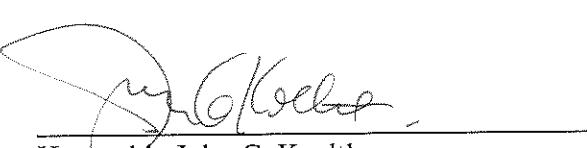
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Additional Counsel

SO ORDERED.

Dated: 2/27, 2024



Honorable John G. Koeltl
United States District Judge